UNITED STATES PATENT AND TRADEMARK OFFICE

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09/725,127	11/29/2000	Satoshi Yashiki	P20113	9039

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ART UNIT	PAPER NUMBER
2626	

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Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _29 November 2000_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-19_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-19_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _29 November 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

       1.☒ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____ .

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _3_ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3.   Claims 1-19, are rejected under 35 U.S.C. 102(e) as being anticipated by Kisono (USP

6614548).

With respect to claim 1, Kisono discloses a facsimile device (100 of fig 1 an 2) to receive

data via a LAN (LAN 13 of fig 2), comprising: a facsimile unit (100 of fig 2), scanner unit (5 of

fig 2), and interface with a public switching telephone network (PSTN 120 of fig 2); a CPU (21

of fig 3) incorporated in the facsimile unit (100 of fig 2, see col.7, lines 60-63); a LAN interface

section (12 of fig 2) provided in association with said CPU (21 of fig 2), for establishing

communication with another terminals (facsimile 122 or 121 of fig 1) via a LAN (13 of fig 2);

data memory (facsimile 100 composed of data memory 3 of fig 2), storing at least one mail

address for rerouting received data, see col.20, lines 63-68-col.21, lines 1-3); image memory

(image memory 9 of fig 2) for storing received data, see (col.7, lines 19-21); said CPU (CPU 21

of fig 2, in connection with application controller (321a of fig 3, includes a redirect mode

controller 354a) that swishes between devices, see col.19, lines 47-51) being adapted to reroute

the received data to said other terminal connected to said LAN (LAN 13 of fig 2) under a certain

condition of said facsimile device (a condition to avoid a communication error due to the

problematic delay time in communications, a condition shown in fig 17 and 18, when measured

time Td<X, and Td>X, as shown in fig 17 and 18, and ["X'= allowable delay time], see col.21,

line 35-60, col.22, lines 55-65, so as when the transmission delay time is more or less than

predetermined time limit the system try to avoid transmission error an redirect or rerouting

received data, with router (RT) 105 of fig 1, and that allows communication between the various

devices, see col.4, lines 65-67).

With respect to claim 2, Kisono discloses a facsimile device (100 of fig 2) wherein the

received data comprise G3 facsimile data, see (col.21, lines 60-63) based on a prescribed

protocol (TCP/IP, communication protocol, see col.5, lines 48-55) and received via the LAN

(LAN 102 of fig 2).

With respect to claim 3, Kisono discloses a facsimile device (100 of fig 2) wherein the received data comprises facsimile data see (col.21, lines 60-63) based on a prescribed protocol (TCP/IP, communication protocol, see col.5, lines 48-55) and received via the LAN (LAN 102 of fig 2).

With respect to claim 4, Kisono discloses a facsimile device (100 of fig 2) wherein the received data comprises E-mail data (Internet data, based on a prescribed protocol (TCP/IP, communication protocol, see col.5, lines 48-55) and received via the LAN (LAN 102 of fig 2).

With respect to claim 5, Kisono discloses a facsimile device (100 of fig 2) wherein the received data comprises data which is stored in said image memory (image memory 9 of fig 2) and is not yet printed (data stored in image memory 9, is not printed yet, because it is waiting to be transmitted or processed in accordance with receiving facsimile transmission procedure).

With respect to claim 6, Kisono discloses a facsimile device (100 of fig 2) wherein said certain condition of said facsimile device (the transmission error created in by time delay, can create a failure to the painter) consists of a failure of said printer unit (22 of fig 2) or running out of printer paper.

With respect to claim 7, Kisono discloses a facsimile device (100 of fig 2) wherein said

certain condition (a condition to avoid a communication error due to the problematic delay time

in communications, a condition shown in fig 17 and 18, when measured time $Td<X$, and $Td>X$,

as shown in fig 17 and 18, and ["X'= allowable delay time], see col.21, line 35-60, col.22, lines

55-65, so as when the transmission delay time is more or less than predetermined time limit the

system try to avoid transmission error an redirect or rerouting received data, with router (RT) 105

of fig 1, and that allows communication between the various devices, see col.4, lines 65-67), of

said facsimile device (100 of fig 2) consists of experiencing an unchanged state said image

memory (image memory 9 of fig 2) for more than a prescribed time period, see col.14, lines 43-

50.

With respect to claim 8, Kisono discloses a facsimile device (100 of fig 2) wherein said

certain condition (a condition to avoid a communication error due to the problematic delay time

in communications, a condition shown in fig 17 and 18, when measured time $Td<X$, and $Td>X$,

as shown in fig 17 and 18, and ["X'= allowable delay time], see col.21, line 35-60, col.22, lines

55-65, so as when the transmission delay time is more or less than predetermined time limit the

system try to avoid transmission error an redirect or rerouting received data, with router (RT) 105

of fig 1, and that allows communication between the various devices, see col.4, lines 65-67) of

said facsimile device (100 of fig 2) consists of experiencing a memory-full state of said image

memory (9 of fig 2) for more than a prescribed time period measured time Td<X, and Td>X, as shown in fig 17 and 18, and ["X'= allowable delay time], see col.21, line 35-60, col.22, lines 55-65.

With respect to claim 9, Kisono discloses a facsimile device (100 of fig 1) wherein said certain condition of said facsimile device (100 of fig 2), consists of detecting said received data to be based on a format can detect which said facsimile device is unable to handle, see col.6, lines 37-44.

With respect to claim 10, Kisono discloses a facsimile device (100 of fig 2) wherein said other terminal (client terminal 103 of fig 1) connected to said LAN (13 of fig of 2) comprises a member selected from a group, (terminal 103 of fig 1, on of the terminals) consisting of a personal computer a server (mail server 104 of fig 1), and another facsimile comprising a facsimile unit (100 of fig 1) .

With respect to claim 11, Kisono discloses a method for receiving a facsimile device (100 of fig 2) adapted to receive data via a LAN (LAN 13 of fig 2), said facsimile device (100 of fig 2), comprising a facsimile unit (group 3 of fig 2), scanner unit (5 of fig 2), and interface with a public switching telephone network (PSTN of fig 120 of fig 2); a CPU (system control 1 of 2, composed of CPU of fig 2) incorporated in the facsimile unit (100 of fig 2); a LAN interface

section (12 of fig 2) provided in association with said CPU (CPU in the system control 1 of fig

2), for establishing communication with another terminals via a LAN (13 of fig 2, see col.3, lines

20-2); data memory (3 of fig 2), storing at least one mail address for rerouting received data;

image memory (9 of fig 1) for storing received data; said CPU (system control, 1 of fig 2,

includes CPU of fig 2) being adapted to reroute the received data to said other terminal to

(terminal 103 of fig 3) connected to said LAN (LAN 13 of fig 2) under a certain condition, see

(col.6, lines 36-44) of said facsimile device (100 of fig 2), rerouting the received data to said

other terminal connected to said LAN (LAN interface unit 24 of fig 2, a condition to avoid a

communication error due to the problematic delay time in communications, a condition shown in

fig 17 and 18, when measured time Td<X, and Td>X, as shown in fig 17 and 18, and ["X'=

allowable delay time], see col.21, line 35-60, col.22, lines 55-65, so as when the transmission

delay time is more or less than predetermined time limit the system try to avoid transmission

error an redirect or rerouting received data, with router (RT) 105 of fig 1, and that allows

communication between the various devices, see col.4, lines 65-67).

With respect to claim 12, Kisono discloses a method for receiving facsimile data in a

facsimile device (100 of fig 2) wherein the facsimile device further comprises buffer memory,

(image memory 9 of fig 2) and the rerouting step comprises the sub step of: storing the received

data in said buffer memory (memory 9 of fig 2, see col.14, lines 40-50) for each page thereof; if

said certain condition, see (col.6, lines 36-44), of said facsimile device does not exist transferring the image data stored in said buffer memory (9 of fig 2) to said image memory page by page; and if aid certain condition of said facsimile device (100 of fig 2) exists, (memory 9 of fig 2, full, see col.14, lines 45-48) converting the image data stored in the buffer memory (9 of fig 2) into mail data and transferring the mail data to said other terminal.

With respect to claim 13, Kisono discloses a method for receiving facsimile data in a facsimile device (100 of fig 2), wherein said certain condition of said facsimile device (100 of fig 2) consist of a failure, (error made by full memory signal, printer stop printing) of said printer unit (printer 6 of fig 2) or running out printing paper.

With respect to claim 14, Kisono discloses a method for receiving facsimile data in a facsimile device (100 of fig 2) wherein said certain condition (full memory condition, see col.14, lines 44-49) of said facsimile device (100 of fig 2) consists of experiencing an unchanged state said image memory (memory 9 of fig 2) for more than a prescribed time period ($Td<x$ and $Td>x$, Td- time delay, see col.21, line 35-60, col.22).

With respect to claim 15, Kisono discloses a method for receiving facsimile data in a facsimile device (100 of fig 2) wherein said certain condition (full memory 9 of fig 2 facsimile)

of said facsimile device (100 of fig 2) consists of experiencing a memory-full state (memory 9 of

fig 2, in full state) of said image memory (9 of fig 2) for more than a prescribed time period, see

col.21, line 35-60, col.22,.

With respect to claim 16, Kisono discloses a method for receiving facsimile data in a

facsimile device (100 of fig 2) wherein said certain condition of said facsimile device, consists of

detecting said received data to be based on a format which said facsimile device is unable to

handle, as discussed in col.6, lines 36-45, communication protocols, such as TCP/IP, SMPT, as

well as the data format, including the MIME (multi-purpose Internet mail extension) are define,

in case the device is unable to handle).

With respect to claim 17, Kisono discloses a method for receiving facsimile data in a

facsimile device (100 of fig 2) wherein said other terminal (terminals as shown in fig 1)

connected to said LAN (LAN 13 of fig 2) comprises a member selected from a group consisting

of a personal computer a server (mail server 104 of fig 1, composed of group of computer), and

another facsimile comprising a facsimile unit (121 of fig 1).

With respect to claim 18, Kisono discloses an Internet facsimile device (100 of fig 2),

comprising: image memory (9 of fig 2), for storing image data received by a facsimile reception

or a mail reception; a control unit (system control 1 of fig 2), including means (application

manager 51 of fig 5,, see col.14, lines 45-49) for detecting a memory full state, see (col.16, lines

36-44), of said buffer memory (9 of fig 2); said controlling unit (system control 1 of fig 3), being

adapted to transfer stored in said image memory (buffer memory 9 of fig 2) to a server (104 of fig

1) when said image memory (9 of fig 1) is detected to be full (application manager 51 of fig 5,

can detect such problem, see col.16, lines 45-49).

With respect to claim 19, Kisono discloses an Internet facsimile device (100 of fig 2),

comprising: buffer memory (9 of fig 2), for storing image data received by a facsimile reception

or a mail reception via SMTP protocol page by page (SMPT protocol, see col.5, lines 55); image

memory (memory 9 of fig 2) for storing the image data transferred from said buffer memory (3 of

fig 2); said control unit (system control unit 1 of fig 2) for storing the received image data in said

buffer memory (9 of fig 2) converting the image data into mail data to another terminal

connected to said Internet facsimile via a LAN, (13 of fig 2) page by page when said image

memory is detected to be full, see col.14, lines 45-49.

4.   Any inquiry concerning this communication or earlier communication from Examiner

should be directed to *Negus Worku* whose telephone number is (703) 305 5441.

The Examiner can normally be reached on M-F, 9 am - 6 pm if attempts to reach the

Examiner by telephone are unsuccessful, the Examiner's Supervisor, *Kimberly Williams,* can be

reached on *(703) 305-4863.*

The fax phone number for the organization where this application or proceeding is

assigned is (703) 872-9306, and any inquiry of general nature or relating to the status of this

application or proceeding should be directed to the receptionist whose telephone number is *(703)*

305-3900.

12/19/03

**MARK WALLERSON
PRIMARY EXAMINER**